



Georgia Department of Revenue

2008

Tax Guide

For Georgia Citizens

Bart L. Graham
Commissioner



Commissioner's Letter

July 2008

Tax Guide For Georgia Citizens contains a helpful summary of the various taxes that are collected in Georgia.

Whether you are a new resident or have lived in Georgia for some time, you should find this publication insightful and informative.

For added convenience, the Department has 11 Regional Offices located throughout the State. Their locations and telephone numbers are listed on page 49.

Another excellent source for Georgia tax information is our Internet website at www.dor.ga.gov. The site contains the latest information, updates, press releases, publications and provides a comprehensive list of downloadable tax forms in English and Spanish.

Our primary purpose in serving Georgia's citizens is to help you – our customer. Our intent is to administer Georgia's tax laws in a manner that promotes confidence in our competence, fairness and integrity with exceptional customer service. No matter when you request assistance, our goal is to ensure that your interaction with the Department of Revenue is a pleasant one.

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A TAX GUIDE FOR GEORGIA CITIZENS

This booklet answers basic questions about Georgia's system of taxation. We believe the information will be especially useful to newcomers to our state or individuals contemplating moving to Georgia. The information is very basic. Detailed inquiries about specific tax matters are best handled by contacting the appropriate division of the Georgia Department of Revenue.

THE GEORGIA DEPARTMENT OF REVENUE

The Department of Revenue is the principal tax collecting agency for the State of Georgia. The Department strives to be the fairest and most efficient revenue collecting agency in the nation. The Department and the Office of Revenue Commissioner were created by law in 1938. The Revenue Commissioner is appointed by the Governor and is the chief executive officer of the Department. The Commissioner is charged with the duty of administering virtually all of the state's tax laws. In addition to administering tax laws, the Commissioner is responsible for enforcing Georgia's laws and regulations pertaining to the control and sale of alcoholic beverages and tobacco products and the registration and titling of all motor vehicles in Georgia. Auditors, accountants, agents, clerks, field representatives, collectors and specialists in many areas are all authorized agents of the Commissioner. The employees of the Department of Revenue are proud of the agency's national standing and take great pride in pursuing their primary task of administering Georgia's tax laws in a fair, courteous and professional manner. The Department of Revenue is located at 1800 Century Boulevard approximately a half-mile west of the Clairmont Road and I-85 intersection in DeKalb County.

Important Reminders

- If you work for a regular salary, fill out the proper G-4 and W-4 withholding tax forms through your employer. If you are self-employed or otherwise not on a regular salary and no income taxes are withheld, you should file a Declaration of Georgia Estimated Income Tax accompanied with your required payment. (See the Individual Income Tax section for more information.)

- Apply for a Homestead Exemption (property taxes) if you reside in a home you own on January 1. (See “Homestead Exemptions” in Local Government Services.)

- Apply for a Georgia Certificate of Title and for a license plate for all of your motor vehicles within 30 days of establishing residence in the county where the vehicles will be located.

- Sales Tax Exemptions: A new resident is not required to pay Use Tax on personal property brought into Georgia as a result of a change of domicile unless the property is used in a business, profession or trade. However, you may be required to pay Georgia Use Tax on property subsequently imported depending upon whether or not a similar tax was previously paid on the item to a reciprocating state. Drugs dispensed by prescription, prescription eyeglasses and contact lenses, and oxygen prescribed by a physician are exempt from tax. Insulin, insulin syringes sold without prescription, blood monitoring devices and hearing aids are also exempt from tax. Sales transactions for which food stamps or WIC coupons are used as the medium of exchange are exempt from Sales and Use Tax. Food and beverages sold for home consumption are also exempt from Georgia State Sales Tax (four percent), although most local county sales taxes apply to these foods and beverages.

- Georgia law stipulates that taxes shall be paid in lawful money of the United States free of any expense to the State of Georgia. When mailing your payment for taxes, please pay with a check or money order. Do not send cash through the mail.

- Your Return Is Confidential: In Georgia and throughout the United States, many taxes are collected on the basis of self-assessment by the taxpaying public. Taxpayers provide information they would not ordinarily disclose to their friends and neighbors and certainly not to their business competitors. Georgia law requires that tax information be kept strictly confidential. The law provides for a few exceptions in the areas of property taxation, motor fuel taxation, and general statistical information not pertaining to any individual or corporate taxpayer. Other than these few categories, information provided about taxpayers' business and financial affairs is kept strictly confidential and is seen only by the proper tax administrators.

- The Georgia Department of Revenue routinely audits all types of tax records. The Department and U.S. Internal Revenue Service continuously exchange and cross-check information on state and federal returns.

Each auditor is thoroughly trained to make detailed and exhaustive findings of pure fact. They exercise no punitive or judicial authority. Each auditor exercises authority delegated by the State Revenue Commissioner to examine all books and records pertaining to a taxpayer's income and other tax information.

If a tax deficiency is assessed against a taxpayer, he or she may contest such assessment by filing a written protest and requesting a conference within 30 days on the matter at the Department's Century Center headquarters or at one of the Department's regional offices. The assessment can be appealed to the Superior Court in the taxpayer's county of residence if it cannot be settled administratively.

- Whenever an adjustment is made by the federal government to the income tax liability of a Georgia taxpayer, the taxpayer must formally report that fact to the Georgia Department of Revenue and pay the tax or claim the refund due.

For More Information

This booklet does not cover all areas of taxation. Detailed publications are available from the Department without charge. Complete copies of all laws and regulations may be obtained at a nominal cost from the Secretary of State, Administrative Procedures Division, State Capitol, Atlanta, GA 30334 or on the Internet at www.ga.gov.

**Georgia Department of Revenue
1800 Century Boulevard, NE
Atlanta, GA 30345-3205**

Taxpayer Services Division

Taxpayer Services Division administers individual income tax, withholding tax, corporate income tax, sales and use tax, motor fuel tax, and motor carrier fuel tax. Georgia income tax forms are available throughout the year at DOR's Century Center location and all regional offices. Forms can also be ordered via e-mail at taxforms@dor.ga.gov or via telephone by calling 404-417-4480 and selecting option 3. Additionally, forms can be downloaded from the DOR website at www.dor.ga.gov. During the tax filing season (January 1 - April 15), Georgia income tax forms can be obtained at some libraries and post offices.

Individual Income Tax

The Georgia individual income tax is a graduated tax based upon an individual's federal adjusted gross income after certain adjustments are made as required by Georgia law. The tax is paid by:

- All resident individuals, estates, and trusts who file a federal return or who have income that exceeds the standard deduction and personal exemptions.
- All nonresident individuals, estates, and trusts who file a federal return which includes income from sources in Georgia.
- All residents or nonresidents who have income subject to Georgia income tax that is not subject to federal income tax.

Copies of prior year returns can be obtained by calling 404-417-4274.

Retirement Income Exclusion: Each taxpayer who is a) Age 62 or older during any part of the taxable year; or b) Permanently and totally disabled, may exclude up to \$35,000 of retirement income for taxable years beginning on or after January 1, 2008.

Rate of Taxation

Joint or Head of Household: Tax is computed at a graduated rate and is assessed in a range from one to five percent on the first \$10,000 of net taxable income (total tax on first \$10,000 of net taxable income is \$340) plus six percent of the excess of net taxable income over \$10,000.

Single Return: One to five percent of the first \$7,000 of net taxable income (total tax on the first \$7,000 of net taxable income is \$230) plus six percent of the excess of net taxable income over \$7,000.

Married Couple Filing Separate Return: One to five percent on the first \$5,000 of net taxable income (total tax on the first \$5,000 of net taxable income is \$170) plus six percent of the excess of net taxable income over \$5,000.

Date Return and Tax Due: For calendar-year taxpayers, the return is due no later than April 15. If that date falls on a non-banking day (weekend or holiday), the tax is due the next banking day. For fiscal-year taxpayers, the return is due no later than the 15th day of the fourth month after the close of the taxpayer's fiscal year. The tax is due by the statutory due date of the return. No provision exists for an extension for payment of tax.

Extension of Time for Filing Return: Georgia will accept an automatic federal extension, a copy of which must be attached to the Georgia return in order to avoid any penalty for late filing. The estimated tax liability must be prepaid and submitted with Form 560. Any granted extension is for filing purposes only and does not extend the payment deadline. All applicable penalties and interest on any amount of tax not paid by the statutory due date will be assessed.

Exemptions and Deductions: The personal exemption amount is \$2,700 each for taxpayer and spouse and \$3,000 for each dependent. The standard deduction is \$2,300 for singles and heads of household, \$3,000 for joint returns, and \$1,500 for married couples filing separately. An additional amount of \$1,300 is added to the standard deduction for taxpayers who are over age 65 or blind and who do not itemize deductions.

Estimated Tax: Estimated tax is required for each individual or fiduciary subject to Georgia income tax who reasonably expects to have gross income which exceeds: 1) personal exemption, plus 2) credit for dependents, plus 3) estimated deductions, plus 4) \$1,000 income not subject to withholding. Payments are due quarterly.

Tax Credits: A credit is allowed to Georgia residents for income taxes paid to other states but not to foreign countries. This is a nonrefundable credit against the tax liability. Certain resident individuals whose federal adjusted gross income is no more than \$19,999 might be entitled to a refundable low income credit. Please see our income tax booklet for information about additional credits.

Refunds: Almost 70 percent of Georgia taxpayers receive refunds each year. The earlier and more accurately the return is filed, the earlier any refund due will be received. Taxpayers can check the status of their refund on-line at www.dor.ga.gov. Refund status can also be check by telephone. Within metro Atlanta call 404-656-6286; outside the metro Atlanta calling area but within Georgia call 800-338-2389. Use the toll-free number 877-602-8477 when calling from outside Georgia.

Electronic Filing: Georgia is a participant in the Federal/State Electronic Filing Program. As a member of this program, taxpayers may file their returns electroni-

cally using an approved tax professional or an on-line filing software package. Refunds are typically issued within 21 days for returns that are electronically filed, which is significantly faster than paper filed returns.

Withholding Tax

Your employer is required to withhold Georgia income taxes from your salary and it must be reflected on their payroll records. If income taxes are not being withheld, it is the taxpayer's responsibility to report incomplete payroll records to the Department of Revenue. Georgia's withholding tax payment schedule is similar to federal withholding tax payment requirements. The employer's payment schedule for the calendar year is based upon the amount of taxes they were required to withhold for the 12-month period that ended the previous June 30. For example, the amount of taxes required to be withheld for the period July 1, 2006, through June 30, 2007, determines the employer's payment schedule for calendar year 2008.

Withholding filing requirements include:

- **Annual Filers:** Every employer whose tax withheld or required to be withheld is \$800 or less per year can request to remit payment with return (G-7) on or before January 31 of the following year. Requests to file annually must be in writing and received prior to the first quarter due date. Annual filers should submit Form G-7 for the fourth quarter only.

- **Quarterly Filers:** Every employer whose tax withheld or required to be withheld is \$200 or less per month, but more than \$800 per year, is required to file and remit payment with return (G-7) on or before the last day of the month following the end of the quarter.

- **Monthly Filers:** Effective April 1, 2004, every employer, who is required to withhold more than \$2,400 but less than \$50,000 during the 12-month period that ended the previous June 30, must remit payment with a payment voucher (GA-V) on or before the 15th day of the following month, unless they are required to remit such payment electronically. The employer is required to file a return (G-7) reconciling all payments made during the quarter on or before the last day of the month following the end of the quarter.

- **Semi-Weekly Filers:** Effective April 1, 2004, every employer who is required to withhold more than \$50,000 during the 12-month period that ended the previous June 30 must remit payment via electronic funds transfer (EFT) using the following schedule:

- ♦♦ **If the payday is on a Wednesday, Thursday or Friday,** then the taxes required to be withheld must be remitted to the Department via EFT on the follow-

ing **Wednesday**. The employer is required to file a return (G-7) reconciling all payments made during the quarter on or before the last day of the month following the end of the quarter.

♦♦ **If the payday is on a Saturday, Sunday, Monday or Tuesday**, then the taxes required to be withheld must be remitted to the Department via EFT on the following **Friday**. The employer is required to file a return (G-7) reconciling all payments made during the quarter on or before the last day of the month following the end of the quarter.

- **One-Day Rule:** Effective April 1, 2004, every employer who is required to withhold more than \$100,000 in taxes for the payday must remit those taxes via EFT by the next banking day after the payday.

- **e-File e-Pay:** Businesses that are required to submit their withholding tax payments to the Georgia Department of Revenue via electronic funds transfer are also required to file their return electronically.

- **Nonresident Distributions:** Withholding of four percent is required on distributions paid or distributions credited by partnerships, limited liability companies, or S Corporations to nonresident members. Registration for a withholding number is required pursuant to O.C.G.A. Section 48-7-129.

- **W-2 Forms:** The W-2 form (statement of wages and income taxes withheld) is issued by employers for use in preparing your individual income tax return. If you do not receive a W-2 form during the month after the end of the calendar year, contact your employer at once and request one. All W-2 forms must be submitted to the Georgia Department of Revenue no later than February 28 of the following tax year with Forms G-1003. Employers submitting more than 250 W-2 forms must submit them electronically.

Corporate Income Tax

The Georgia corporate income tax is a nongraduated percentage tax based on a corporation's federal taxable net income with certain adjustments. These adjustments include modifications to the latest federal tax legislation. Corporations that own property in Georgia, do business in Georgia, or derive income from sources in Georgia are subject to corporate income tax.

Rate of Taxation: The rate is six percent of a corporation's taxable net income attributable to business done in Georgia.

Date Return and Tax Due: For calendar year taxpayers, the return and tax are

due no later than March 15. For fiscal year taxpayers, the return is due no later than the 15th day of the third month after the close of the corporation's fiscal year. The tax is due by the statutory due date of the return. No provision exists for an extension of time to pay the tax.

Extension of Time for Filing Return: Georgia will accept an automatic federal extension, a copy of which must be attached to the Georgia return in order to avoid any penalty for late filing. The tax liability estimated to be due on your return must be prepaid and submitted with Form IT-560C. An extension is for filing purposes only. It does not relieve the taxpayer of late payment penalties and interest on any amount of tax not paid by the statutory due date.

Corporate Income Tax Credits

Georgia tax law provides for the following income tax credits:

- Basic Skills Education Tax Credit
- Business Enterprise Vehicle Credit
- Business Occupation/Business License Tax Credit (Bank Credit)
- Child Care Property Tax Credit
- Clean Energy Credit
- Land Conservation Credit
- Credits to employers who provide or sponsor child care for employees
- Diesel Emission Reduction Credit
- Electric Vehicle Charger Credit
- Film Tax Credit
- Headquarters Job Tax Credit
- Historic Rehabilitation Credit
- Job Tax Credits in all 159 counties
- Low Emission Credit
- Low Income Housing Tax Credit
- Manufacture Facilities Job Credit
- Manufacture Facilities Property Credit
- Manufacture's Investment Tax Credit
- Optional Investment Tax Credit
- Port Traffic Tax Credit
- Qualified Education Expense Credit
- Retraining Tax Credit
- Research Tax Credit
- Seed Capital Investment Credit
- Teleworking Credit
- Transportation Fringe Benefit Tax Credit
- Zero Emission Credit

Claiming Tax Credits: Entities eligible to claim any of the above tax credits must file for the applicable credits on the appropriate tax form. The entity may claim the tax credits against its own tax liability or assign the tax credits to an affiliated entity. Assignment of the credits must be made on the original tax return of the generating entity if permissible.

Pass-Through Entities: Tax credits generated by a pass-through entity must be claimed on or before the original due date of the tax return (including extension) before the credit can pass through to the shareholders, members or partners of the entity. Once passed through, the credit will be applied against the shareholder's, member's, or partner's tax liability, with all limitations on the credit being applied at the pass through level.

Withholding Tax Provisions: For those tax credits which have a provision to allow the credit to be claimed against the entity's withholding taxes, there are specific steps which must be followed in order to claim this benefit:

- Generally, at least 30 days **prior** to the filing of the entity's original tax return, the entity must file Form IT-WH. This form is an Intent to Claim Withholding Tax Benefit. Failure to file this form in a timely manner will result in disallowance of the withholding benefit for the given tax year. Since the withholding provision is an annual election, this form must be filed for each tax period in which the withholding benefit is to be claimed.
- The original tax return must be filed timely with all appropriate documentation attached to substantiate the tax credit.
- Once the Department reviews the tax return claiming the credit, a determination will be made as to the amount of withholding credit available. A letter will then be sent out detailing the amount of credit and when it may be applied against withholding. Please note that the credit does not refund any previously remitted withholding payments, but is applied against future payments. The withholding tax credit does not pass through to be applied to any shareholder's, member's or partner's withholding tax liability.

Corporate Net Worth Tax

This tax is based on the net worth of a corporation and is levied in exchange for the privilege of doing business or exercising a corporate franchise in Georgia. Corporations that own property or do business in Georgia are subject to Net Worth Tax.

Rate of Taxation: The amount varies according to the corporation's net worth. The minimum tax is \$10 for a net worth less than \$10,001. The maximum is \$5,000 for a net worth in excess of \$22 million.

Date Return and Tax Due: The first return for a new domestic corporation or a foreign corporation qualifying to do business in Georgia must be filed and the tax paid on or before the 15th day of the third calendar month after incorporation or qualification. Thereafter, an annual return must be filed and the tax paid on or before the 15th day of the third month following the beginning of the corporation's taxable period. There is no provision for an extension for payment of the tax.

Exemptions: Nonprofit organizations (not organized for pecuniary gain or profit) and insurance companies taxed separately are not subject to the corporate net worth tax.

Dormant corporations or corporations with a deficit net worth must file a return and pay the tax to retain their charters. For more information contact the Taxpayer Services Division.

Estate Tax

For estates of decedents who died after December 31, 2004, the Internal Revenue Code no longer provides for a credit for state death taxes. Those estates are not required to pay Georgia estate tax, and are not required to file copies of their federal estate tax returns with Georgia.

For estates of decedents who died before January 1, 2005, the Georgia estate tax is the amount allowable by the Internal Revenue Service as a credit for state death taxes. In effect, the estate taxes paid to Georgia may be used to reduce the estate taxes due the Internal Revenue Service.

Georgia does not have a separate estate tax return. A copy of the United States Estate Tax Return (Form 706) should be filed with Georgia if Form 706 is filed with the Internal Revenue Service and: 1) the deceased was a resident of Georgia; or 2) the deceased was a nonresident and owned property located in Georgia. The copy of Form 706 should be filed with Georgia on or before the date the original return must be filed with the Internal Revenue Service. Contact the Internal Revenue Service for Form 706.

Georgia does not have an inheritance tax or a gift tax.

Registration and Licensing

Centralized Taxpayer Registration is responsible for the registration and licensing of businesses having a business nexus in Georgia. State law requires all

such businesses to register with the State.

CTR registers the following tax types:

- Sales and Use Tax
- Motor Carrier Truck Permits (IFTA) (*)
- Retail Tobacco Licenses
- Retail and Consumption-on-Premises Alcohol Licenses (*)
- Withholding Tax
- Amusement Machine Licenses and Decals (*)
- Motor Fuel Distributor Tax (*)
- Regional Economic Assistance Project Alcohol License (*)
- Special Event Licenses (*)
- Limousine Alcohol Licenses (*)
- Sales Tax Contracting (Nonresident fee applies) (*)

(*) associated fees required

CTR handles annual renewals for the following licenses:

- Retail, Consumption-on-Premises, Hotel-In-Room Alcohol Licenses (*)
- International Fuel Tax Agreement Licenses and Decals (*)
- Amusement Machine Licenses and Decals (*)
- Regional Economic Assistance Project Alcohol License (*)
- Limousine Alcohol Licenses (*)

(*) associated fees required

CTR is also responsible for the retrieval of tax returns, vendor approvals and citations issued for IFTA violations.

Taxation of Banks and Mutual Financial Institutions

All banks and savings and loan associations owning property or conducting business in Georgia must file a Georgia Financial Institutions Business Occupation Tax return on Form 900. These institutions were formerly taxed on bank shares.

Rate of Taxation: The State Occupation Tax is imposed at the rate of 0.25 percent of adjusted gross receipts. (See Local Government Service section for municipal and county gross receipts tax computation.) Financial institutions are allowed a dollar-for-dollar tax credit against the state corporate income tax liability for state occupation, municipal, and county gross receipts taxes paid. Starting with tax years beginning on or after January 1, 2001, financial institutions, which are S Corporations, are allowed to pass-through a pro rata share of the credit to shareholders.

Georgia gross receipts for a financial institution conducting business inside and outside the State are determined using the apportionment factor prescribed under O.C.G.A. Section 48-7-31(d)(2). This code section states, in part, that the gross receipts factor is a fraction, the numerator of which is the total gross receipts from business conducted within Georgia during the tax period, and the denominator of which is the total gross receipts from business conducted everywhere for the tax period. Gross receipts are considered to be earned in Georgia if the receipts are derived from customers inside Georgia or if the receipts are otherwise attributable to Georgia's marketplace.

Due Date of Return: The State Occupation Tax return is scheduled to be filed by March 1 each year with the Taxpayer Services Division.

Sales and Use Tax

Sales and Use Tax is a tax upon the use, consumption, distribution, or storage of tangible personal property and certain services. It is levied or imposed upon retail sales, rentals, leases, uses, or consumption of tangible personal property, and certain services that are specifically taxed under the Georgia Retailer's and Consumer's Sales and Use Tax Act. Every person making a retail sale should collect and remit the applicable tax on all sales not otherwise supported as exempt. The sales tax rate ranges from four to eight percent of the sales price or the gross rental or lease charge of tangible personal property sold or rented in Georgia. The tax rate varies among counties due to any Local Option Tax, Educational Local Option Tax, Special Purpose Local Option Tax, Homestead Local Option Tax, or Metropolitan Atlanta Rapid Transit Authority (MARTA) Tax levied within the jurisdiction. Also, within the city limits of Atlanta there is a one percent Municipal Option Sales Tax. Transactions involving the sale, lease, or rental of motor vehicles are exempt from the Atlanta Municipal Option Sales Tax.

Who Collects the Tax? The seller or dealer collects the sales tax from the retail purchaser, renter, lessor, user, or consumer of tangible personal property and remits it to the State. Businesses that are required to submit sales and use tax payments via electronic funds transfer (EFT) must file their returns electronically through the Revenue Department's e-File e-Pay program.

When is the Tax Paid? Sales tax is due at the time of purchase of tangible personal property and is collected by the dealer based on the sales price at the time of sale. Georgia Sales and Use Tax is a point of delivery tax collected when the seller/dealer passes title or possession of the tangible personal property or service to the purchaser.

Internet, Mail Order, and Out of State Purchases: Georgia Use Tax is due on

all purchases made through the Internet, via mail order, or from an out-of-state company when Georgia Sales Tax is not collected by the selling company. The use tax rate is the same as the sales tax rate imposed in the Georgia county of delivery. Form (ST-3USE) is used to report Use Tax. Additional information may be obtained at the Department's Regional Offices or from the Department's web site (www.dor.ga.gov).

What are the Rates? There is a four percent statewide sales tax, a one percent MARTA Tax (Fulton and DeKalb counties only), a one percent Homestead Local Option Tax (DeKalb and Rockdale counties only), a one percent Local Option Tax, a one percent Educational Local Option Tax, a one percent Special Purpose Local Option Tax, and/or a one percent Atlanta Municipal Option Sales Tax. Tax rate information for each local jurisdiction is available from the Taxpayer Services Division and the Department's web site (www.dor.ga.gov). The information is updated quarterly.

There is an established bracket for the collection of sales tax based upon parts of a dollar. There is no requirement to collect tax on sales of less than 8 cents.

Every dealer must remit at least the amount of tax due on net taxable sales at the rate where delivery occurs or the amount collected under a bracket system. The brackets for the different rates, as well as a list of the various county rates is available on the Department's website or can be requested from the Taxpayer Services Division.

Who Must File a Return? Every dealer must file a return on or before the 20th day of the following calendar month for which the tax is due. The tax may be reported on the cash or accrual basis of accounting. The seller must make this election based on the filing method on the first return.

What are the Filing Requirements for Sales and Use Tax? Taxpayers must file a return for each period even if their business did not operate or have any taxable sales. The reporting period is monthly unless the Department of Revenue permits the taxpayer to file the return on a quarterly or annual basis. There are also filing requirements for seasonal and special events businesses. Forms and detailed filing instructions will be sent with the certificate of registration after each taxpayer's application has been processed by the Registration and Licensing Unit.

What are the Sales and Use Tax Electronic Fund Transfer (EFT) Requirements? Taxpayers with a tax remittance amount of \$5,000 or greater must file and pay their taxes electronically.

Are Exemptions Available? Certain purchasers and items or services are exempt from sales and use tax. A certificate of exemption form must be presented to the seller on transactions between exempt purchasers and dealers. Questions regarding specific exemptions should be directed to the Taxpayer Services Division.

Who Must Register for Sales and Use Tax? Every person, partnership, limited liability entity, firm, or corporation who sells, uses, distributes, or manufactures tangible personal property in Georgia must register for sales and use tax if:

- They import goods from any state or foreign country for sale at retail, or for use, consumption, distribution, or storage in Georgia.
- They lease or rent tangible personal property in Georgia.
- They maintain an office, distribution house, sales room, or warehouse in Georgia.
- They acquire parts to manufacture tangible personal property for sale at retail, or for use, consumption, distribution, or storage in Georgia.
- They regularly solicit orders for tangible personal property within Georgia.

How Do I Register For Sales Tax? You can either:

- Obtain the registration forms from the Department's website at www.dor.ga.gov and fax the completed forms to Registration and Licensing at 404-417-4318, or
- Contact Registration and Licensing at 404-417-4490.

What Should I Do With My Certificate of Registration? The certificate must be conspicuously displayed at all times at the location for which the certificate was issued. It must be displayed in a prominent place where customers or occupants can see it. Each sales location is required to register and display a separate Certificate of Registration.

Should Contractors and Sub-Contractors Register for Sales Tax? A contractor is deemed to be the ultimate consumer of all material used in constructing, altering, or improving real property and therefore must pay sales tax on all materials used in the project including materials furnished by any tax exempt or government entity. Every business that contracts to furnish tangible personal property or perform services in constructing, altering, remodeling, or improving real property in Georgia must complete an application. One Sales and Use Tax registration number (prefix 214) covers all operations of the company throughout the state. This number is only for reporting contractual activities and paying use tax. It is not valid for purchasing tangible personal property tax exempt for resale. There are also bonding requirements for nonresident contractors, which are outlined in O.C.G.A. Sections 48-8-63 and 48-13-32. For additional information, contact the Taxpayer Ser-

vices Contract Section at 404-417-4490.

Frequently Asked Questions

Q. How do I contact the Taxpayer Services Division?

A. The mailing address is 1800 Century Boulevard, Suite 8214, Atlanta, GA 30345-3205. The telephone numbers are:

- Individual Income Tax: 404-417-4480
- Individual Income Tax Refunds: 404-656-6286
- Corporate Income Tax: 404-417-4480
- Sales and Use Tax: 404-417-6601
- Registration and Licensing: 404-417-4490
- Withholding Tax: 404-417-2311
- Amended Returns: 404-417-2300
- Motor Fuel Distributor: 404-417-6710
- Motor Carrier (IFTA): 404-417-6712

Q. Does the Department provide any educational training to assist companies in properly collecting Georgia's Sales and Use Tax?

A. The Department offers free Sales and Use Tax Awareness Seminars throughout the State. The annual schedule is posted on the Department's web site (www.dor.ga.gov) and is available at the Department's Regional Offices.

Q. Are freight and transportation charges taxable?

A. When tangible personal property is sold at retail and the transportation cost is passed on to the purchaser by the seller, the charge is subject to tax.

Q. Are shipping and handling charges taxable?

A. Yes, if the property is sold at retail and shipped in the seller's vehicle or the delivery charges are passed on to the purchaser by the seller.

Q. Are nonprofit organizations and churches exempt from paying sales and use tax on purchases for use?

A. Not generally. However, certain organizations that are specified in O.C.G.A. Section 48-8-3 are exempt. Also, certain sales for short-term fund-raising activities can be exempt.

Q. Is computer software taxable?

A. The tax applies to prewritten (canned) software and canned software which has been modified for a customer's use. The tax does not apply to software written

for a particular customer or tailored to a particular customer's needs, sometimes known as "custom software."

Q. Are labor charges exempt?

A. Repair and installation labor are exempt when separately stated on the seller's invoice. If not separately stated, labor charges are taxable. Fabrication labor is taxable when provided as part of a retail sale.

Q. Are repair charges taxable?

A. Materials used in a repair are subject to tax. Installation or repair labor is not subject to the tax when separately stated on the invoice.

Q. Can contractors purchase tangible personal property tax exempt?

A. No. Contractors are deemed the consumers of tangible personal property used in a construction project and must pay tax at the time of purchase. This is true even if the materials are used in contracts performed for government agencies.

Q. Is use tax due if property is purchased from a foreign vendor (out-of-state seller) and delivered into and used in Georgia?

A. Yes, if the seller fails to collect any Georgia state and local sales taxes. The purchaser should file a use tax return and submit the appropriate state and local use taxes. A credit may be allowed on like taxes paid in the state of purchase.

Q. Are government employees and agencies exempt from sales tax on hotel/motel charges?

A. Sales to the federal government, the State of Georgia, any county or municipality of this state, or any bona fide department of such governments, when purchased directly from the seller by warrant with appropriated government funds accompanied by an ST-5, Georgia Sales and Use Tax Certificate of Exemption, are exempt. Government employees are not exempt when paying with their own funds, even if they are later reimbursed.

Q. Company A (a Georgia dealer) sells to Company B (an out-of-state company) and drop ships to Company C (a Georgia company). Is Company A required to collect sales tax?

A. Yes. Company A must collect tax on this transaction or obtain a Certificate of Exemption from Company B's home state.

Q. Company A (an out-of-state company) leases tangible personal property to a customer located in Georgia. Must Company A collect sales tax or is the customer obligated to pay the tax to the state?

A. Company A must collect sales tax on the sale or lease of all property which is delivered into the State. Tax must be collected on the gross lease or rental receipts.

Q. Are parts covered under a factory warranty taxable?

A. Parts exchanged under a warranty are not taxable. However, if any charge is made for parts, it would be subject to the tax.

Q. Are parts covered under an extended warranty or maintenance agreement taxable?

A. The cost of any parts used to repair property which is covered under an extended warranty or maintenance agreement is subject to sales and use tax. The service provider is responsible for the tax on the parts used in the extended warranty or maintenance agreement.

Q. Are all-terrain vehicles, boats, or other recreational vehicles subject to Georgia sales and use tax?

A. Yes. Georgia Law does not grant an exemption on the purchase of all-terrain vehicles, boats, or other recreational vehicles when the purchaser accepts delivery in Georgia.

Motor Fuel Tax

Georgia collects two motor fuel taxes: an excise tax and a prepaid sales tax. Both are collected by licensed distributors of motor fuel and are passed on to the consumer at the retail level. The excise tax is 7 ½ cents per gallon except for aviation gasoline, which is taxed at one-cent per gallon. The Prepaid State Tax is four percent of the average statewide retail selling price. The Prepaid Tax rate is adjusted semiannually (January and July) unless the statewide average motor fuel price deviates either up or down by more than 25 percent during the six-month period.

Date Distributor Report and Tax Due: The distributor report and tax are due on the 20th of each month for transactions occurring during the preceding month. Contact the Motor Fuel Tax Unit for more information at 404-417-6710.

Exemptions: Generally transactions among licensed distributors of motor fuel are exempt from these taxes. For specific information regarding these exemptions, consult O.C.G.A. Sections 48-9-3 and 48-9-14, or contact the Motor Fuel Tax Unit at 404-417-6710.

Refunds:

- **Agricultural Use:** A refund of all but 1 cent per gallon of the state excise tax imposed by O.C.G.A. Section 48-9-3(a)(1) on gasoline purchased in quantities of 25

gallons or more is permitted by law provided the fuel is used in farm equipment for agricultural purposes. All but 10 percent of the state motor fuel excise tax is refundable for clear diesel fuel purchased and used in licensed agricultural field use vehicles as defined in O.C.G.A. sections 48-9-2 and 48-2-150.1.

- **Non-highway Use:** Clear diesel fuel purchased in quantities of 25 gallons or more and used in equipment for non-highway purposes is eligible for a refund of state motor fuel excise tax paid without interest.

- **Retail Dealers:** Retail dealers of motor fuel are entitled to a refund of two percent of the first 5 ½ cents per gallon of motor fuel taxes as compensation to cover evaporation, shrinkage and spillage losses.

Motor Carrier Fuel Use Tax (IFTA)

The Road Use Tax on motor carriers is imposed for the privilege of using Georgia's highways. The State of Georgia is a member of the International Fuel Tax Agreement (IFTA). As a result there is a *composite tax rate*, equivalent to the 7 ½ cents per gallon Motor Fuel Excise Tax and a three percent Prepaid State Tax. The composite rate is published quarterly for use in calculating and reporting the amount of tax due on the IFTA tax report. The Road Use Tax applies to fuel used in Georgia. Under IFTA, excess credits for motor fuel taxes paid to other states may be applied to the Georgia tax. Conversely, motor fuel tax credits for excess purchases of fuel in Georgia may be applied to tax due other IFTA jurisdictions. This is done on the IFTA quarterly tax report. Carriers that have entirely intrastate operations are not required to register with Georgia for IFTA.

Date Report and Tax Due: The IFTA report and tax are due on the last day of the month immediately following the end of each calendar quarter (April 30, July 31, October 31, January 31). All IFTA-registered motor carriers must file a report each quarter even if no operations were conducted during the reporting period.

Tax Credit: Every IFTA motor carrier subject to this tax is entitled to a tax credit equal to the net of any motor fuel taxes paid in all jurisdictions minus the amount owed to all jurisdictions.

Who Pays the Tax? The tax is levied upon and paid by interstate motor carriers who operate qualified motor vehicles on Georgia highways that are used, designed, or maintained for the transportation of persons or property and:

- Having two axles and a gross vehicle weight or registered gross vehicle weight exceeding 26,000 pounds or 11,797 kilograms.
- Having three or more axles regardless of weight.
- Used in combination, when the weight of such combination exceeds 26,000

pounds or 11,797 kilograms gross vehicle or registered gross vehicle weight.

Qualified Motor Vehicle does not include recreational vehicles when used exclusively for personal pleasure by an individual. Only IFTA motor carriers based in Georgia are required to register and file tax returns with the Department.

Intrastate motor carriers must pay motor fuel tax at the retail pump or to their distributor if not licensed with the Department.

Georgia Higher Education Savings Plan

The Georgia Higher Education Savings Plan is a qualified state tuition program that meets the requirements of Internal Revenue Code Section 529. This program allows people to participate in a tax-advantaged program that increases access to higher education by offering a simple and affordable way to save for college expenses. For additional information visit www.gacollegesavings.com or call 1-877-424-4377.

Local Government Services Division

Information contained in this section is general in nature and intended as a brief description of the functions relating to Property Tax. In-depth information can be found at the Local Government Services Division's website at www.dor.ga.gov.

All real and personal property are taxable unless the property has been exempted by law. Real property is land and generally anything that is erected, growing, or affixed to the land. Personal property is everything owned that is not real estate.

Property taxes are charged against the owner of the property on January 1, or against the property itself if the owner is not known. Unless otherwise specified, property tax returns are to be filed between January 1 and April 1. For most counties, property taxes are due by December 20.

Real property is taxable in the county where the land is located. Personal property is taxable in the county where the owner maintains a permanent legal residence unless otherwise provided by law. For most counties, taxes are due by December 20. If taxes are not collected on the property, it may be levied upon and ultimately sold even though the property may have changed hands during the year.

For specific questions about special assessment programs or personal exemptions contact the local county board of assessor's office.

Property and Assessed Values

County tax bills include both the fair market value and assessed value of the property. Fair Market Value means "the amount a knowledgeable buyer would pay for the property and a willing seller would accept for the property at an arm's length, bona fide sale."

Personal property is assessed at 40 percent of its fair market value. Real property is assessed at 40 percent of its fair market value unless otherwise specified.

Special Assessment Programs

Historic property that qualifies for listing in the Georgia or National Register of Historic Places may qualify for preferential assessment. The preferential assessment shall extend to the building or structure, the real property on which the building or structure is located, and not more than two acres surrounding the building or structure. Such property may not be changed for a period of nine years. Property under this special program must be certified by the Department of Natural

Resources as rehabilitated historic property or landmark historic property.

Rehabilitated historic property may qualify for preferential assessment when the rehabilitation has increased the fair market value of the building or structure. When the property is:

- Owner-occupied residential real property - the rehabilitation has increased the fair market value by not less than 50 percent.
- Income-producing real property - the rehabilitation has increased the fair market value by not less than 100 percent.
- Real property used primarily as a residence but partially as income-producing property - the rehabilitation has increased the fair market value by not less than 75 percent.

Landmark historic property may qualify:

- When the property has been certified by a local government as landmark historic property, and
- When local ordinances extend the preferential assessment to:
 - a. tangible income-producing real property, or,
 - b. tangible nonincome-producing real property, or,
 - c. a combination of tangible income-producing real property and nonincome-producing real property.

Other special assessment programs are available to taxpayers who agree to maintain their property in these programs for a period of 10 years. These special programs include:

- **Preferential Agricultural Property** - Bona fide agricultural property can be assessed at 75 percent of the assessment of other property. This means that this type of property is assessed at 30 percent of fair market value rather than 40 percent.

- **Conservation Use Property**

- ♦♦ **Agricultural** - Bona fide agricultural property can be assessed at its current use value rather than the fair market value.

- ♦♦ **Environmentally Sensitive Property** - Certain properties can be assessed at its current use value rather than the fair market value when such property is maintained in its natural condition and meets the requirements set by the Department of Natural Resources.

- ♦♦ **Residential Transitional Property** - Property can be assessed at its current use value rather than fair market value when it is used for residential purposes

but located in an area that is changing to or being developed for a use other than residential.

♦♦ **Constructed Storm Water Wetland Property** - Property can be assessed at its current use value rather than fair market value when the Department of Natural Resources certifies the property as constructed storm water wetlands and approved for such use by the local government.

• **Brownfield Property** - Property that qualifies for participation in the State's Hazardous Site Reuse and Redevelopment Program, which has been designated as such by the Environmental Protection Division of the Department of Natural Resources, may qualify for preferential assessment. This special program provides for the preferential assessment of environmental and contaminated property by freezing the value for 10 years as an incentive for developers to clean up the property and return it to the tax rolls. It also allows an eligible owner to recoup the eligible costs associated with the cleanup of this type property against their tax liability.

Timber

Standing timber is not taxed until sold or harvested, at which time it is taxed based upon 100 percent of its fair market value. There are three taxable types of sales and harvests:

- **Lump sum sales:** The timber is sold at a specific price regardless of volume.
- **Unit price sales:** The timber is sold or harvested based on a specific price per volume.
- **Owner harvests:** The land owner harvests his own timber and sells it by volume.

Millage Rate

The tax rate, or millage, in each county is set annually by the Board of County Commissioners or other governing authority of the taxing jurisdiction and by the Board of Education. A tax rate of one mill represents a tax liability of one dollar per \$1,000 of assessed value. The average county and municipal millage rate is 32 mills; the state millage rate in each county is 0.25 mills. Municipalities also assess property taxes based upon county-assessed values and rates established by the municipal governing authority.

The assessed value (40 percent of the fair market value) of a house that is worth \$100,000 is \$40,000. In a county where the millage rate is 32 mills, the property tax on that house would be \$1,280.

Homestead Exemptions

What is the Homestead Exemption: Homestead is the real property owned by and in possession of the applicant on January 1 of the taxable year. This includes, but is not limited to, the land owned surrounding the home.

- The home of each resident of Georgia that is actually occupied and used as the primary residence by the owner may be granted a \$2,000 exemption applied to the assessed value of their home before calculating state, county, and school taxes. The \$2,000 exemption is deducted from the 40 percent assessed value of the homestead before the tax amount for these purposes is calculated. The owner of a dwelling house on a farm that is granted a homestead exemption may also claim a homestead exemption in participation with the program of rural housing under contract with the local housing authority. This exemption does not apply to taxes levied for municipal taxes.

- Individuals 65 Years of Age and Older May Claim an exemption from all state tax on their home and 10 acres of land surrounding the home. Ad valorem tax for state purposes will be due on the assessed value of land that exceeds the 10 acre limitation.

- Individuals 65 years of age and older may claim a \$4,000 exemption applied to the assessed value of their home before calculating state and county property taxes. The \$4,000 exemption is deducted from the 40 percent assessed value of the homestead before the tax amount is calculated, but only if the net income of that person and his spouse does not exceed \$10,000 for the prior year. Social security income is excluded from net income and other retirement income is excluded up to a specified amount. The owner must notify the tax commissioner if they no longer meet the requirements for this exemption.

- Individuals 62 years of age and older who are residents of each independent school district and of each county school district may claim an additional exemption from taxes for educational purposes and to retire school bond indebtedness if the net income of that person and his spouse does not exceed \$10,000 for the prior year. Social security income is excluded from net income and other retirement income is excluded up to a specified amount. The owner must notify the tax commissioner if they no longer meet the requirements for this exemption. This exemption may not exceed \$10,000 of the homestead's assessed value.

- Individuals 62 years of age and older who are denied homestead exemption because of excess income, or because they have not reached the age of 65, may still obtain a floating inflation-proof state and county homestead exemption based on fair market value increases in the homestead's value. If the appraised value of your

home has increased by more than \$10,000, you may benefit from this exemption. Federal adjusted gross income, together with spouse, cannot exceed \$30,000. This exemption does not affect any municipal or educational taxes and is meant to be used in place of any other state and county homestead exemption.

- Any qualifying disabled veteran may be granted an exemption of \$50,000 (or the maximum amount granted under Section 802 of Title 38 of the United States Code, as amended) from paying property taxes for state, county, municipal, and school purposes. The value of the homestead residence in excess of this exemption remains taxable. This exemption is extended to an unremarried surviving spouse or minor children.

- Any unremarried surviving spouse of a member of the armed forces of the United States who was killed or died as a result of a war or armed conflict in which the armed forces of the United States engaged may be granted an exemption of \$50,000 (or the maximum amount granted a disabled veteran under Section 2102 of Title 30 of the United States Code, as amended) from paying property taxes for state, county, municipal, and school purposes. The value of the homestead residence in excess of this exemption amount remains taxable. Applicants filing for this exemption are required to file information relative to their marital status with the tax commissioner's office in the county of residence, along with any other information required by the county board of tax assessors.

- Any unremarried surviving spouse of a peace officer or firefighter who was killed in the line of duty is eligible for a homestead exemption for the full value of the homestead for all tax purposes as long as the applicant occupies the residence as a homestead. Applications for this exemption are filed with the local tax commissioner's office in the county of residence.

- In order to receive a homestead exemption, the deed reflecting actual ownership of the property must be recorded in the deed records of the county prior to the filing of the homestead exemption application. The time period for filing an application for homestead exemption is anytime during the prior tax year up to the deadline for filing returns in the county. To verify this date, contact the county tax commissioner or county tax assessor in your county of residence.

- Homeowners may be eligible for a credit on a portion of the state, county, and school property taxes that would normally be due on their home. The credit will be paid to the county and school by the state and deducted from the homeowner's tax bill. This essentially has the same tax benefit to the homeowner as if their homestead exemption was increased.

When To File For Freeport Exemption

Application for the full amount of freeport exemption must be filed on or before the closing date for the return of property taxes for the county in which the applicant's business is located. Closing dates may vary between each county, although for most counties an application must be filed between January 1 and April 1.

Application for a reduced amount of freeport exemption can be made after the closing date established by the county up to June 1, with a decreasing percentage of exemption for the year.

In counties that allow application for freeport exemption to be filed between **January 1 and March 1**, if application is made:

Between	And	Percentage of Exemption Allowed
March 2	March 31	9/12 or 75 percent
April 1	April 30	8/12 or 67 percent
May 1	May 31	7/12 or 58 percent
On June 1	—	6/12 or 50 percent

In counties that allow application for freeport exemption to be filed between **January 1 and April 1**, if application is made:

Between	And	Percentage of Exemption Allowed
April 2	April 30	8/12 or 67 percent
May 1	May 31	7/12 or 58 percent
On June 1	—	6/12 or 50 percent

Deferrals

Individuals who are 62 years of age or older and entitled to file homestead exemption may elect to have payment of their ad valorem taxes deferred. The taxpayer must file an annual application for tax deferral with the tax commissioner or tax collector on or before April 1 of the year for which the deferral is sought. Interest at the rate of three-fourths of one percent per month begins accruing on deferred taxes from the date the taxes are due in that year.

If the taxpayer meets the qualifications for tax deferral, they may choose one of two options:

- If the home for which a tax deferral is sought has an assessed value of \$50,000 or more, the deferral will apply only to the taxes on the portion of the assessed value which is \$50,000 or less.
- If the population in the county is 550,000 or more, taxes can be deferred on all

or any part of that portion which exceeds four percent of the individual's gross household income for the immediately preceding calendar year.

Qualifications for Property Tax Deferral

- Applicant must be at least 62 years old on January 1 of the year he/she applies.
- Applicant must be entitled to claim homestead exemption for the current tax year.
- The total amount of deferred taxes and interest plus the total amount of all other unsatisfied liens on the homestead cannot exceed 85 percent of the fair market value of the homestead as shown on the county tax digest for the immediately preceding tax year.
- Gross household income cannot exceed \$15,000 for the immediately preceding year.
- Property cannot be subject to any lien the terms of which are dictated by federal law, rule, or regulation prohibiting deferral of taxes.
- Applicant must have fire and extended coverage insurance on the property in an amount which is in excess of the sum of all outstanding liens and deferred taxes and interest with a loss-payable clause to the county tax collector or tax commissioner. A copy of the insurance policy number, expiration date, and loss-payable clause is required upon application.

Appeals

Taxpayers may challenge an assessment by the county board of tax assessors by appealing to the county board of equalization or to an arbitrator or arbitrators. Once a decision has been made by the county board of equalization or by an arbitrator or arbitrators, the taxpayer may appeal to the county superior court by mailing or filing with the county board of tax assessors a written notice of appeal. The appeal must be made within 30 days from which county board of equalization's decision was mailed, or within 30 days of the date the arbitration decision was rendered.

Appeals may be filed on matters of:

- taxability
- uniformity of assessment
- value
- denials of homestead exemption for residents

Appeals to the County Board of Equalization

Taxpayers may appeal their assessment to the county board of equalization by mailing or filing with the county board of tax assessors a notice of appeal within 45 days from the date the notice was mailed; or in counties where the governing

authority allows payment of taxes in installments, a notice of appeal must be filed or mailed within 30 days.

The county board of tax assessors will review the situation or denial in question and, if any corrections or changes are made, the board of tax assessors will send a notice of any corrections or changes to the taxpayer. The notice will state that if the taxpayer is still not satisfied after these changes or corrections have been made, they may then appeal to the county board of equalization by mailing or filing with the board of tax assessors a written notice of appeal within 21 days of the date the change or correction was mailed.

The taxpayer does not need to take any further action if the county board of tax assessors does not make any corrections or changes to their appeal. The county board of tax assessors will send written notice to both the taxpayer and the county board of equalization of their decision not to make corrections or changes to the appeal.

Upon receipt of an appeal, the county board of equalization will set a hearing date within 15 days of receipt of the notice of appeal and will notify the taxpayer and the county board of tax assessors in writing.

A hearing will take place no earlier than 20 days, and no later than 30 days, after notification. The three members of the county board of equalization will specifically decide and vote upon all questions presented by the appeal. The county board of equalization will notify both the taxpayer and the county board of tax assessors in writing by sending a copy of the decision by registered or certified mail.

Appeals to an Arbitrator or Arbitrators

If the taxpayer chooses not to have their appeal heard by the county board of equalization, they have the option of appealing the county board of tax assessors' assessment to an arbitrator or arbitrators. A written notice of appeal specifically stating the grounds for arbitration should be filed with the county board of tax assessors within 45 days from the date the assessment notice was mailed to the taxpayer, or within 30 days in counties that allow installment payments of ad valorem taxes.

The county board of assessors will have the notice of arbitration certified to the clerk of superior court along with any other information submitted by the taxpayer seeking arbitration. The superior court judge will then appoint a referee within 15 days of the certification.

The arbitrator or a majority of the arbitrators will render a decision within 30 days after their appointment.

Decisions of the arbitrator or arbitrators may be appealed to the superior court in the same manner as a decision by the county board of equalization. Costs incurred by arbitration are shared equally by the taxpayer and the county.

Mobile Homes

Every mobile home owned in Georgia on January 1 is subject to property taxation. Every year on or before May 1, the owner must obtain a mobile home location permit from the tax collector or tax commissioner in the county of taxation of the mobile home. The county of taxation is the county where the mobile home is located unless used in connection with an established business, in which case it is the county where the business is located. Issuance of the permit is evidenced by a decal that must be prominently attached and displayed on the mobile home. Mobile homes must be returned for taxation and the taxes paid at the time of application for the mobile home permit, or at the time of the first sale or transfer of the mobile home after December 31, or on May 1, whichever occurs first.

Any mobile home that qualifies the owner for a homestead exemption will not be considered a mobile home for purposes of ad valorem taxation and will be taxed as real property. A decal is required to be obtained annually for this type mobile home.

Any mobile home for which a current Certificate of Permanent Location has been properly filed with the Clerk of Superior Court and the Department of Revenue will not be considered a mobile home for purposes of ad valorem taxation and will be taxed as real property. These types of mobile homes are not required to obtain a decal and may qualify the owner for homestead exemption when both the mobile home and land are owned and considered the principal legal place of residence.

Contact the local county board of tax assessors for additional information regarding mobile homes.

Public Utilities and Railroads

The chief executive officer of each public utility or railroad is required to make an annual return to the State Revenue Commissioner on or before March 1 of all property located in Georgia on January 1 of that year. Upon presentation of the Commissioner's recommendations of proposed assessments of public utilities and railroads, the State Board of Equalization issues notices of proposed assessments of each public utility or railroad to the companies and to the county Boards of Tax

Assessors where the property is located. Each county's Board of Tax Assessors then issues notices of final assessments to each public utility or railroad with property in the county.

A public utility or railroad may appeal the State Board's notice of proposed assessment of its properties by filing an appeal in the Superior Court of Fulton County within 30 days of receipt of the notice. The company must have previously notified the State Revenue Commissioner and the county board of tax assessors in each county in which they have property of their intent to file the appeal within 20 days of the notice. The company may appeal any notice of final assessment from a county board of tax assessors in the same manner as other assessments issued by the county board.

Airline Flight Equipment

Each airline company operating in Georgia is required to make an annual property tax return of its flight equipment to the State Revenue Commissioner on or before March 1 for activity in the preceding calendar year. The value of the flight equipment is allocated to the State of Georgia and distributed to the counties of operation within Georgia based on plane hours. The Commissioner's presentation of recommended proposed assessments to the State Board of Equalization, subsequent notices of assessments, and appeals are handled in the same manner as those for the properties of public utilities.

Real Estate Transfer Tax

Real estate transfer tax is not a property tax. It is an excise tax payable prior to the recording of a warranty deed when real property is sold or transferred for consideration with a value of \$100 or more.

The real estate transfer tax must be paid before a deed, instrument, or other writing can be recorded in the office of clerk, of superior court of the appropriate county. Once the tax has been paid, the clerk of the superior court or their deputy will attach to the deed, instrument, or other writing a certification that the tax has been paid.

Real estate transfer tax is based upon the property's fair market value, less any encumbrances existing at the time of sale or transfer and not removed by the sale or transfer, at a rate of \$1.00 for the first \$1,000 or fractional part of \$1,000, plus 10 cents for each additional \$100 or fractional part of \$100. The tax must be paid by the person who executes the deed, instrument, or other writing or the person for whose use or benefit the deed, instrument, or other writing is being recorded.

Railroad Equipment Companies

Every person owning, leasing, furnishing, or operating railroad cars in Georgia, except for railroad companies, is considered a railroad equipment company. The chief executive officer of each such company is required to make an annual property tax return of their railroad cars to the State Revenue Commissioner on or before March 1 for activity in the preceding calendar year. The value of the railroad cars is allocated to Georgia based on car-wheel miles. Upon presentation of the Commissioner's recommendations of assessments of railroad equipment companies, the State Board of Equalization issues notices of final assessment to each company. The company may appeal the notice by filing suit in Fulton County Superior Court.

Intangible Recording Tax

Every holder of a long-term note secured by real estate must record the security instrument in the county in which the real estate is located within 90 days from the date the instrument is executed to secure the note. Before recording the instrument with the clerk of superior court of the appropriate county, the instrument must be presented to the collecting officer of the county in which the real estate is located. The collecting officer means the clerk of superior court. In counties having a population of 50,000 or less, at the discretion of the clerk of superior court, "collecting officer" may mean the tax collector or tax commissioner of the county.

The collecting officer will collect the intangible recording tax due from the holder of the instrument. The collecting officer will then attach a certificate to the instrument indicating that the tax has been paid. The tax for recording the instrument is assessed at a rate of \$1.50 for each \$500 or fractional part of the face amount of the note secured by the instrument. The maximum amount of recording tax on any single note is \$25,000. Failure to pay the tax timely will incur a 50 percent penalty based upon the amount of tax due and interest assessed at a rate of one percent per month from the date that the tax was due.

The Georgia intangible recording tax is an excise tax. It is not the same as the Georgia personal property tax. Inquiries concerning specific exemptions should be addressed to the collecting officer in the county in which the property securing the note is located, or to Tax Law and Policy, Georgia Department of Revenue.

Taxation of Financial Institutions

Georgia cities and counties may impose a tax on the gross receipts of financial institutions located within their respective jurisdictions. This tax is known as the Local Business License Tax and is filed on Form PT-440 with the cities and counties.

The State also imposes a gross receipts tax known as the State Occupation Tax which is filed on Form 900. The State Occupation Tax and copies of Local Business License Tax Forms are filed with the State each year by March 1.

The law provides for cities and counties that choose to impose the gross receipts tax to set a levy of not more than the State rate of 0.25 of one percent. A city or county may establish a minimum tax levy of \$1,000.

In addition to the tax on gross receipts, financial institutions are subject to personal property taxes, real property taxes, corporate net worth taxes, and corporate income taxes. For information on filing Form 900 call 404-417-2409. For Form PT-440 call your county or local municipality.

Unclaimed Property

The Disposition of Unclaimed Property Act protects the rights of owners of abandoned property and relieves those holding the property of the continuing responsibility to account for the property.

Under the Act, when someone holds property (holder) that belongs to someone else (owner) but has lost contact with the owner for a specified period (holding period), that holder must turn over (remit) the property to the State. The State serves as the custodian for any property remitted under the Act allowing the owners or their heirs an opportunity to claim their property in the future.

Anyone holding abandoned property must remit it to the State when they have held the property for the specified holding period.

Companies located out of state and companies not incorporated in Georgia must remit to this state abandoned property belonging to an owner having a Georgia address. Companies incorporated in Georgia must remit any unclaimed property of owners having an unknown, incomplete, or foreign address to this state. Georgia companies incorporated outside the state must remit property to the state reflecting the last known address of the owner, or to the state of incorporation if the address information is unknown or incomplete.

Unclaimed property is reported and remitted annually after the holding period has expired. For insurance companies, the report year is the calendar year beginning January 1 and ending December 31; the report is due the following May 1. For all others, the report year is the fiscal year beginning July 1 and ending June 30; the report is due the following November 1.

The holding period is the time that must elapse before the property is consid-

ered abandoned and reportable to the State. The duration depends upon the type of property held:

Property Type	Holding Period
Wages	1 year from payday
Company Liquidation Proceeds	1 year from sell date
Safe Deposit Boxes	2 years from drilling date
Money Orders	7 years from issue date
Travelers Checks	15 years from issue date
All Other Property	5 years from last contact

How Do I Keep My Property from Becoming Unclaimed?

- Open all correspondence from banks or companies handling your money
- Keep an accurate record of all financial matters
- When you move, notify all banks and companies of your new address
- At least once a year, make a deposit or withdrawal on all bank accounts
- Cash all checks received promptly
- Contact the company immediately, if you stop receiving stock dividends
- Inform a family member, attorney, or trusted friend of the whereabouts of all financial records

Could I Be an Owner of Unclaimed Property: Call 404-968-0490 or write to the Georgia Unclaimed Property Section to determine whether or not you have any unclaimed property. When making your inquiry, please provide the name as it would have appeared on the account. Write to the Unclaimed Property Section at:

**Georgia Department of Revenue
Local Government Services Division
Unclaimed Property Section
4245 International Parkway, Suite A
Hapeville, GA 30354-3903**

If the State is holding unclaimed property you believe to be yours, simply request a claim form from the Department of Revenue. Return the completed form along with documentation proving your identity and ownership of the account. Examples of proof of ownership include account statements, bank books, W-2 statements, and letters referencing the unclaimed account. Also, provide a copy of your driver's license for proof of identity. If the evidence proves you are the rightful owner of an unclaimed account, you should receive a check within 30 days. Georgia is a custodial state. The State maintains perpetual custody of unclaimed property until the rightful owner or their heirs claim it. There is no time limit to claim property. **Georgia returns unclaimed property at no charge to the owner!**

Individuals or companies that locate unclaimed property for a fee are known as locators. They often approach Georgia citizens. **If a locator offers to help you find property that is rightfully yours, call the Department of Revenue's Unclaimed Property Section first!** Signing an agreement with a locator can be costly. Our section will assist you in locating and reclaiming your property for **free!**

Alcohol and Tobacco Division

The Alcohol and Tobacco Division is composed of two units: the Law Enforcement Section and the Licenses and Permits Section.

The Department of Revenue collects state excise taxes on cigarettes through the use of tax-paid indicia (stamps) which are placed on the products before they enter the marketplace. Distilled spirits, beer, wine, cigar, and loose/smokeless tobacco taxes are collected via a comprehensive reporting system that eliminates the need for stamps.

The State Revenue Commissioner is charged by law with regulating the alcohol industry and preventing the illegal production and sale of alcohol products. Georgia is a local option state in regard to control, sale, and taxation of beverage alcohol products. Under this system, governing authorities of any county or incorporated municipality have sole discretionary power to permit the sale of malt beverages and wine within their jurisdiction. The law does not provide for or require a referendum for the sale of malt beverages and wine.

For the sale of distilled spirits, a special referendum must be conducted. If the vote is against the sale of distilled spirits, another referendum may not be held for two years. If the vote is against the sale of mixed drinks, the waiting period is one year.

In conjunction with the local option concept, Georgia is also a local license state. Accordingly, a manufacturer, importer, wholesaler, brewpub, retailer, or consumption-on-premises business must first obtain a local license to sell beverage alcohol products prior to obtaining a state license from the Georgia Department of Revenue. Persons considering engaging in the beverage alcohol business should note that in order to obtain and hold such license, they must be current (paid up to date) in all Georgia tax categories.

The Department of Revenue's Alcohol and Tobacco Division administers alcohol and tobacco tax laws. Most of these laws pertain to distilled spirits, beer and wine licensees, and the manufacturers and distributors of tobacco products. Several important laws are of concern to all taxpayers:

- The minimum legal drinking age in Georgia is 21 years of age.
- The minimum legal age to purchase or possess for personal use cigarettes, tobacco, tobacco products, or tobacco-related objects is 18 years of age.
- Certain types of businesses (primarily restaurants) in specific localities as outlined in O.C.G.A. Section 3-3-7, which derive more than 50 percent of their annual gross sales from the sale of prepared meals, may serve beverage alcohol for consumption on premises after 12:30 p.m., on Sundays. These are the only areas of

the state where alcohol beverage sales are permissible on Sundays with the exception of those cities and counties that may under state law sanction alcohol beverage sales for a certain number of hours after midnight Saturday, with the exception of certain sports facilities.

- It is illegal to possess more than a half gallon of non-Georgia tax paid distilled spirits in Georgia. If you go to another state, purchase more than a half gallon of distilled spirits and return to Georgia, you would be in possession of illegal alcohol. The restriction applies to all distilled spirits whether or not the bottle has been opened. It is also illegal to manufacture distilled spirits in any quantity in Georgia without a license.

- Georgia citizens may bring into the state no more than two cases (48 twelve-ounce containers or 576 total ounces) of non-Georgia tax paid beer at one time. The beer must be for personal consumption and not for resale. Georgia law permits a head of household to manufacture up to 50 gallons of malt beverages per year for personal or family consumption.

- It is illegal to transport or possess more than a half-gallon of non-Georgia tax paid wine purchased in another state. A consumer of legal age, while on a winery's premises, may purchase for personal use, but not transport, up to five cases of wine from any one winery per calendar year. The winery must ship the wine to the consumer's address and documentation of the purchase and shipment must remain in the possession of the consumer. Georgia law, however, permits a head of household to manufacture up to 200 gallons of wine per year for personal or family consumption.

- No more than 10 packs of non-Georgia tax paid cigarettes, 20 individual cigars, or six containers of loose or smokeless tobacco can be brought into the state by one person at one time. A vehicle can carry 10 packs of cigarettes and 20 individual cigars or six containers of loose or smokeless tobacco per person of lawful age (18 years or older). Persons bringing more than the maximum allowable amounts of tobacco products into Georgia are subject to arrest, confiscation of tobacco products, and seizure of their vehicle.

Georgia's Alcohol and Tobacco Taxes

Distilled Spirits: An excise tax of 50 cents per liter upon the first sale, use, or final delivery within this State of all distilled spirits, and a similar tax of 70 cents per liter on all alcohol; a tax of 50 cents per liter upon the importation for use, consumption, or final delivery into this State of all distilled spirits; a similar tax of 70 cents per liter upon the importation of all alcohol; and a local tax, where applicable, of up to 22 cents per liter.

Beer: \$1.08 per standard case of 24 twelve-ounce containers of beer plus a uniform local beer tax of \$1.20 per standard case.

Wine: An excise tax of 11 cents per liter on the first sale, use, or final delivery within this State of all table wines (i.e., wines of 14 percent or less alcohol by volume), and a similar tax of 27 cents per liter on all dessert wines (i.e., wines of more than 14 percent, but not more than 21 percent alcohol by volume); and a tax of 29 cents per liter upon the importation for use, consumption, or final delivery into this State of all table wines, and a similar tax of 40 cents per liter upon the importation of all dessert wines. Wine fortified with distilled spirits, which results in an alcohol content of more than 21 percent alcohol by volume, is taxed as distilled spirits. A local tax, where applicable, of up to 22 cents per liter is also due.

Tobacco Products: The state excise tax on cigarettes is 37 cents per pack of 20 (\$3.70 per carton); the state excise tax on cigars is 23 percent of the wholesaler's cost; the state excise tax on loose or smokeless tobacco is 10 percent of the wholesaler's cost.

Coin-Operated Amusement Machines

Georgia law requires each owner or operator of bona fide coin-operated amusement machines that are available for public play within the State, to obtain a Master License based upon the number of machines owned or operated. Additionally, each machine must display an annual permit sticker.

Master License and Machine Fees:

- Level 1 (1-5 machines): \$250.00
- Level 2 (6-60 machines): \$1,500.00
- Level 3 (61 or more machines): \$2,500.00
- Annual Permit Sticker: \$25.00 per machine

Machines in operation in Georgia without the required Master License and decals will be seized and applicable penalties assessed.

Direct Shipment of Wine to Georgia Addresses

Georgia residents can order wine from instate and out-of-state wineries and have the produce shipped to their homes.

Wineries must possess a federal wine manufacturing permit and a Special Order Shipping License issued by the Georgia Department of Revenue in order to make direct shipments to a Georgia address.

Consumers are limited to 12 cases of wine (table or dessert) of one brand or a combination of brands per Special Order Shipping Licensee during a calendar year. There is no limit on the number of licensees a consumer can receive shipments from during the year. Shipments can only be made directly to consumers for their personal or household use. Shipments cannot be made to any location that is licensed to sell alcoholic beverages.

The winery must require the person placing the order to state affirmatively that they are 21 years old and the winery must verify the customer's age by examining an approved government issued identification or utilizing an Internet based age identification service. Each shipment must be clearly marked "Alcoholic Beverages, Adult Signature Required." The law that authorizes direct shipping stipulates that the carrier making the delivery is responsible for obtaining the signature of someone at the destination address who is at least 21 years of age.

Motor Vehicle Division

Every motor vehicle, trailer and truck tractor owned by a Georgia resident, with certain exceptions listed under the law (O.C.G.A. §§ 40-2-20, 40-3-4, and 40-3-20), must be titled, registered, and have affixed a license plate obtained for the vehicle through the office of the County Tax Commissioner in the county where the owner legally resides.

Visitors who do not reside in Georgia are not required to register their motor vehicle if they remain in the state for less than 90 days provided their vehicles are properly registered in their home state and display a valid license plate from that state.

Military personnel stationed in Georgia under military orders are not required to register motor vehicles in Georgia provided their vehicles display a valid license plate from their home state.

Out-of-state students may use their motor vehicles in Georgia without having to purchase a license plate, provided their vehicles display a current license plate from their home state, and the students are residents of states that are members of the Multi-State Reciprocity Agreement.

County tag agents or tax commissioners can answer your question(s) or assist in resolving your problem(s). Their phone numbers are in your local telephone directory.

The cost of a regular license plate for a passenger car or light truck is \$20. This fee is in addition to any ad valorem tax, penalties for late application, or mailing fees which may be due. Prestige, commemorative, veteran, or other special license plates may be obtained for an additional fee.

State and local sales and use tax is due on all vehicles purchased from a business. No Certificate of Title or registration will be issued if a vehicle was purchased from an out-of-state business or dealer until the owner of the vehicle pays all sales and use tax due or shows that sales and use tax is not due. This applies to all vehicles, trailers, motorcycles and manufactured homes. Credit may be given when sales and use tax is paid to another state and that state has a reciprocity agreement with the state of Georgia.

A motor vehicle title is prima facie evidence of ownership of a vehicle. Georgia does not title 1962 and prior model year vehicles. Motor vehicles from model year 1986 and newer must be titled. Any owner holding a valid certificate of title for a

1963-1985 year model vehicle may apply for a certificate of title for the vehicle if the chain of ownership has not been broken.

Manufactured homes, cranes, and travel trailers that are model year 1963 and newer must be titled. Manufactured homes acquired after July 1, 2006, do not have to be titled if they have been declared permanently located and real property to the Clerk of the Superior Court in the county where the home is located.

Vehicles are titled and registered in the name that is on the owner's driver's license. An individual must have either a Georgia driver's license or Georgia identification card in order to register a motor vehicle. The Georgia Department of Driver Services issues Georgia drivers' licenses.

The law requires that the owner apply for a Certificate of Title and registration within 30 days after the vehicle's purchase. If an application for title is not approved, a license plate cannot be purchased and the application must be corrected promptly. The law requires a security interest holder to submit a title application to the Motor Vehicle Division or the tag office in the owner's county of residence no later than 20 days after the creation of the security interest in order to validate the security interest.

The seller of a motor vehicle is civilly liable to the purchaser for failure to provide a Certificate of Title. This liability includes payment of the purchaser's attorney fees. The cost of obtaining an original title is \$18, which does not include any title penalties that may be due. A \$10 late title application penalty fee will be assessed if the title application is not received by the County Tag Agent or the Motor Vehicle Division within 30 days of purchase. A \$10 late title application penalty will also be assessed for a rejection of a title application not returned within 60 days.

A replacement Certificate of Title may be obtained by submitting the following to the County Tag Office or the Motor Vehicle Division:

- a completed title application in the same name(s) as the original title,
- a release from any security interest or lien holder on the original Certificate of Title, which has since been satisfied,
- \$8 replacement certificate of title application fee.

Where to Apply: Payment of vehicle ad valorem (property) taxes, applications for license plates and/or renewal decals and titles are made through the county tag agent, which is the County Tax Commissioner or Tax Collector. The county tag agent issues all license plates or renewal decals except for vehicles operating in

interstate commerce and requiring an International Registration Plan (IRP) apportioned license plate.

An application for a license plate or renewal of a license plate must be made in the county of legal residence of the person who is listed first on the application for title and license plates.

The license plate application of a vehicle used in connection with an established business enterprise located in another county must be filed in the county where the business enterprise is located. Motor vehicles owned by non-Georgia residents must be registered in the county where the non-Georgia resident resides. A decal designating the county where the vehicle is registered must be affixed to most license plates. If a vehicle's license plate is not specifically excluded by law from this requirement and the vehicle is operated without a valid county decal, the owner/operator may be fined. Any inquiries concerning motor vehicle registration and title requirements should be addressed to your county tag agent.

Motor vehicle owners and lessees are required to maintain continuous, mandatory liability insurance coverage on their vehicle(s). A license plate will not be issued or renewed without acceptable proof of insurance as follows:

- Electronic notice of insurance coverage updating the Department's records.
- A fleet insurance policy information card for vehicles insured under a fleet insurance policy.
- An insurance binder for no more than 30 days from the date of issuance.
- A vehicle bill of sale and an insurance policy declaration page indicating insurance coverage for another vehicle within 30 days of purchase.
- A self-insured insurance information card and a certificate of self-insurance issued by the Office of Georgia Insurance and Safety Fire Commissioner's.
- An insurance information card or insurance declaration page and military identification card if you are a Georgia resident member of the military with a motor vehicle registered in Georgia and stationed in another state.

When You Must Apply: A persons who moves to Georgia with a motor vehicle must purchase a Georgia license plate within 30 days after establishing residency in Georgia. Any person with a motor vehicle in Georgia and who does not reside in Georgia but who accepts employment or engages in any trade, profession, or occupation in the state or enters his or her children in Georgia public schools must purchase a Georgia license plate and/or renewal decal within 30 days after entering Georgia.

The purchaser of a new or used motor vehicle must apply for a new registration (license plate purchase or transfer) within 30 days following vehicle purchase.

When registering a vehicle that was purchased outside Georgia from a business, all sales and use taxes due must be paid or proof shown that the applicable taxes have been paid before a Georgia title and license will be issued.

For registration renewals, application must be made by midnight on the last day of the owner's registration period. Except as indicated, counties have a year-round staggered registration system and residents in those counties must register during the 30-day period ending on the birthday of the person whose name appears first on the certificate of title or other record of vehicle ownership.

For entities other than natural persons, the registration period is the registration month based on the first letter of the owner's name according to the following schedule:

- January for names beginning with A or B;
- February for names beginning with C or D;
- March for names beginning with E or F;
- April for names beginning with G or H;
- May for names beginning with I or J;
- June for names beginning with K or L;
- July for names beginning with M or N;
- August for names beginning with O or P;
- September for names beginning with Q or R;
- October for names beginning with S or T;
- November for names beginning with U, V or W; and
- December for names beginning with X, Y or Z.

The following counties have a non-staggered registration system and residents, including businesses in those counties, must register their vehicles between January 1 and April 30. Those counties are: Calhoun, Mitchell, Charlton, Randolph, Clay, Stewart, McIntosh and Turner.

Talbot County has a four month-staggered registration system and residents with birthdays in:

- January, February, and March register in January;
- April, May, and June register in February;
- July, August, and September register in March;
- October, November, and December register in April.

For entities other than natural persons, registration in Talbot County is required according to the following schedule:

- January for the owner whose name begins with A, B, C or D;
- February for the owner whose name begins with E, F, G, H, I, J or K;

- March for the owner whose name begins with the letter L, M, N, O, P, Q or R; and
- April for the owner whose name begins with the letter S, T, U, V, W, X, Y or Z.

Regardless of a county's registration system, vehicles that weigh over 26,000 pounds must be registered from December 1 through February 15.

The lessee of a vehicle must register during his or her applicable registration period.

To obtain a license plate, residents of some counties must furnish the county tag agent with proof that their vehicles have passed an emission inspection. Counties that require emission inspections prior to vehicle registration are: Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding and Rockdale. For more information on Georgia's emission inspections requirements refer to the Georgia Clean Air Force website: www.cleanairforce.com.

The tag agent will provide the license plate and/or renewal decal and a registration certificate. The registration certificate identifies the vehicle owner or lessee, the vehicle, the license plate, the expiration date, and a receipt for payment of ad valorem taxes on the vehicle. This certificate should be kept with the driver's license as evidence of vehicle registration. The certificate may be required when applying for a license plate the following year. Law enforcement officers may ask to see the certificate when they stop motorists on highways.

Tag agents in most Georgia counties mail renewal notices to motor vehicle owners. If you do not receive a renewal notice, you must purchase the license plates and pay ad valorem taxes at the tag office or call your county tag office for assistance prior to your registration expiration date. A penalty is assessed if you miss the renewal deadline even if you do not receive a renewal notice in the mail.

If you receive a renewal notice by mail from the county for license plates and ad valorem taxes, using the form to renew your registration will save you time and effort. Write a check or obtain a money order for the amount due made payable to the 'Office of the Tax Commissioner' and mail the payment, renewal notice, and any other required documentation in the envelope provided by the county.

Many counties provide their residents with the opportunity to renew registrations for most types of vehicles on the Internet through the Department's web site: www.dor.ga.gov Your renewal notice from your County Tag Office will advise you

if you can renew via the Internet and provide a Renewal Identification number (RIN).

Individuals or companies that travel in more than one state with commercial vehicles that weigh more than 26,000 pounds, or that have three or more axles regardless of weight, should register these vehicles under the International Registration Plan. IRP license plates must be purchased from the state motor vehicle division after vehicle ad valorem taxes are paid at the county tag office.

Georgia interstate-motor carriers, freight forwarders, leasing companies, and brokers must also register in accordance with the Unified Carrier Registration Act. You may register on the Department's website: www.dor.ga.gov.

Georgia intrastate motor carriers transporting property or passengers for-hire must obtain a permit from the Motor Vehicle Division and receive operating authority before beginning operations. Once operating authority is issued, motor carriers must renew their identification stamps each year prior to February 1.

Ad Valorem Taxes On Motor Vehicles

Each year every motor vehicle owned in Georgia is subject to ad valorem taxes imposed by the local taxing jurisdictions. These taxes are based on the vehicle's assessed value determined by the State and the local millage rate set by the local tax boards. The tax rates (millage rates) for each tax district vary widely according to the revenue needs of each county and tax district.

The value for passenger motor vehicles and motorcycles is determined using national market guide values as of January of each tax year based on a vehicle in average condition. The assessed value is 40 percent of the State valuation. The State valuation is 50 percent of the fair market value plus 50 percent of the whole-sale value.

Commercial vehicles, trailers, and recreational vehicles are assessed by applying a depreciation table prepared by the State to the original purchase price.

Taxpayers who believe the valuation on their vehicle is incorrect may appeal the valuation to the County Tax Assessor's Office after payment of taxes as listed on the original bill. Under appeal, the Tax Assessor or Board of Equalization will review the vehicle's valuation and condition. If the Tax Assessor's Office finds in favor of the taxpayer, a refund for any difference in the tax assessed will be issued to the taxpayer.

The following vehicles are not subject to ad valorem taxation. Please contact your County Tax Commissioner's Office for specific details:

- One vehicle which is owned or leased by a Disabled Veteran who is 100 percent totally and permanently service-connected disabled and the qualifying tag is displayed.
- One vehicle which is owned or leased by a Veteran who has received the Purple Heart citation and the qualifying tag is displayed.
- One vehicle which is owned or leased by a Veteran who has received the Medal of Honor award and the qualifying tag is displayed.
- One vehicle which is owned or leased by a qualifying Veterans' Organization.
- One vehicle which is owned (not leased) by a former prisoner of war or one vehicle which is owned by an un-remarried surviving spouse of a deceased former prisoner of war.
- Vehicles owned (not leased) by a non-resident military member temporarily stationed in Georgia due to military orders and up to one vehicle which is jointly owned with a non-resident spouse.
- Vans and buses owned (not leased) by religious groups which are used exclusively for maintaining and operating exempt properties or for the exclusive purpose of transporting individuals to religious services or trips.
- Vehicles owned (not leased) by a school or an educational institution used principally for transporting persons with disabilities to or from school.
- Vehicles which are used exclusively for driver education purposes.

Disabled Person Parking Permits

Applications for a Disabled Person Parking Permit may be made in person or by mail to the county tag agent or tax commissioner in your county of residence or to the Motor Vehicle Division. The application is a Disabled Person Parking Permit Affidavit (Form MV-9D) completed by a licensed doctor of medicine, licensed doctor of osteopathic medicine, licensed doctor of podiatric medicine, licensed optometrist, licensed chiropractor or an active duty licensed military physician if the applicant is a retired or active duty member of the military. The application must state that such person is a disabled person, the specific disability that limits or impairs the person's ability to walk, and that he or she is a person with disabilities as specified in paragraph (5) of Code Section 40-6-221. The affidavit is available on the Department's website <http://motor.etax.dor.ga.gov/forms/motor.asp>

A person with a permanent disability may be issued a permit for a period of four (4) years, at which time it must be renewed. A person with a temporary disability may be issued a permit for the duration of the temporary disability but not more than 180 days.

Pursuant to Code Section 40-6-226, a person violating the laws related to parking for a disabled person shall be guilty of a misdemeanor and subject to fines of not less than \$100 and not more than \$500. In addition to these penalties, the vehicle which is unlawfully parked in a parking place reserved specifically for disabled persons is subject to being towed at the owner's expense.

Compliance Division

The Compliance Division handles all tax collection enforcement for the Department of Revenue. Eleven regional offices are maintained throughout the state to provide taxpayer assistance for all tax types. In addition, each regional office collects outstanding tax liabilities and conducts audits of businesses located in the territory covered by the office.

Audit Unit: The Audit Unit is responsible for ensuring taxpayer compliance with Georgia's laws. The Unit assists taxpayers with voluntary disclosures and conducts a variety of audits including but not limited to:

- Income Tax
- International Fuel Tax Agreement Tax
- Motor Fuel Tax
- Sales and Use Tax
- Unclaimed Property
- Withholding Tax

Collection Unit: Each regional office of the Compliance Division is given the responsibility for collecting unpaid Income, Sales and Use, and Motor Fuel taxes owed to the state. Agents can provide assistance in preparing tax reports and computing amounts due upon request. Tax payments of any type can be made by mail or in person during regular business hours (8 a.m. to 4:45 p.m.).

Unregistered Businesses: The Collection Unit is responsible for tax compliance for special events which often involve out-of-state-based or other businesses that are not registered for collection of Sales and Use Tax. Each regional office monitors events in its region to ensure that Sales and Use Tax is being properly collected and remitted.

Special Collections Programs: Specialized programs include collection and delinquent call center operations, installment payment programs for individuals, problem resolution, the Bankruptcy Program, the Offer-In-Compromise Program, and the Private Collection Agency Program. A \$100 non-refundable application fee must accompany every offer-in-compromise submission.

Taxpayer Assistance: Each regional office provides customer service information both in person and by telephone concerning Georgia taxes. During income tax filing season, please call ahead to ascertain what documents may be required in order to assist you in filing your return. (See the list of office locations and telephone numbers on Page 49.)

REGIONAL OFFICES

ALBANY

Georgia Department of Revenue
Albany Regional Office
1105D W. Broad Avenue
Albany, GA 31702-1357
Telephone: 229-430-4241

ATHENS

Georgia Department of Revenue
Athens Regional Office
3700 Atlanta Hwy, Box 108
Suite 268
Athens, GA 30606
Telephone: 706-542-6058

ATLANTA SOUTH METRO

Georgia Department of Revenue
Atlanta South Metro Regional Office
4245 International Parkway, Suite B
Hapeville, GA 30354-3919
Telephone: 404-968-0480

AUGUSTA

Georgia Department of Revenue
Augusta Regional Office
130 Davis Road
Martinez, GA 30907-2386
Telephone: 706-651-7600

COLUMBUS

Georgia Department of Revenue
Columbus Regional Office
1501 13th Street, Suite A
Columbus, GA 31901
Telephone: 706-649-7451

DOUGLAS

Georgia Department of Revenue
Douglas Regional Office
1214 North Peterson Avenue, Suite I
Douglas, GA 31534-0943
Telephone: 912-389-4094

LITHIA SPRINGS

Georgia Department of Revenue
Lithia Springs Regional Office
351 Thornton Road, Suite 101
Lithia Springs, GA 30122-7079
Telephone: 770-732-5812

MACON

Georgia Department of Revenue
Macon Regional Office
630 North Avenue, Suite B
Macon, GA 31208-4368
Telephone: 478-751-6055

NORTHEAST METRO OFFICE

Georgia Department of Revenue
Northeast Metro Office
1800 Century Blvd., NE, Suite 2206
Atlanta, GA 30345-3205
Telephone: 404-417-6605

ROME

Georgia Department of Revenue
Rome Regional Office
1401 Dean Street, Suite E
Rome, GA 30161-6494
Telephone: 706-295-6061

SAVANNAH

Georgia Department of Revenue
Savannah Regional Office
6606 Abercorn Street, Suite 220
Savannah, GA 31405
Telephone: 912-356-2140

MOTOR VEHICLE DIVISION

1200 Tradeport Boulevard
Hapeville, GA 30354
Telephone: 404-362-6500